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DT06 Rec'd PCT/PTO 28 OCT 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Glare *et al.*

Serial No.: 10/070,489

Filed: March 1, 2002

For: **NUCLEOTIDE SEQUENCES ENCODING  
AN INSECTICIDAL PROTEIN COMPLEX  
FROM SERRATIA**

Confirmation No.: 6955

Art Unit: Unassigned

Examiner: Unassigned

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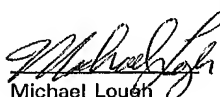
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Date of Deposit October 28, 2002

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Commissioner for Patents,  
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TRANSMITTAL LETTER

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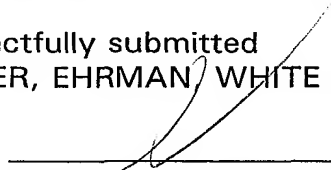
Sir:

Transmitted herewith is a Preliminary Amendment for filing in connection with the above-identified application.

- (X) The Commissioner is hereby authorized to charge the fee for the Information Disclosure Statement and any other fees that may be due under 37 C.F.R. §§1.16-1.17 in connection with this paper or with this application during its entire dependency to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted  
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By:

  
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**PRELIMINARY AMENDMENT**

Commissioner for Patents  
U.S. Patent and Trademark office  
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Arlington, D.C. 22202

Dear Sir:

Preliminary to examination of the above-captioned patent application, please amend the application as follows:

**IN THE SPECIFICATION:**

Please amend the specification as follows (a marked-up copy of the amended specification is attached to this Amendment):

**Please replace the paragraph on page 1, lines 13-21, with the following paragraph:**

The disease is highly host specific, only known to infect a single indigenous species of New Zealand scarab larva. The disease appears unique among insects and results not from rapid invasion of the haemocoel, but from a slow colonisation of the gut. The disease has a distinct phenotypic progression, with infected hosts ceasing feeding within 2-5 days of ingesting pathogenic cells. The normally black gut clears around this time (Jackson et al. 1993) and the levels of the major gut digestive enzymes (trypsin and so forth) decrease